

IN RE: PETITION FOR SPECIAL HEARING

S/S Ivy Reach Court, 1400' W
of Happy Hollow Road
8th Election District
3rd Councilmanic District
(23 Ivy Reach Court)

John F. Owings, Jr.
Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 99-476-SPH

*

* * * * *

AMENDED ORDER

WHEREAS, this matter was originally heard before this Deputy Zoning Commissioner on July 13, 1999. An Order was prepared and the Petitioner's request for Special Hearing was granted on July 15, 1999.

WHEREAS, this office has been advised that the Order incorrectly identified the subject property, at Paragraph 3, Line 4, as Hillside Hunt, Section 2. The property is actually known as and should be correctly identified as "the property formerly known as 'the Moore's Property' and now known as P119, Tax Map 50."

THEREFORE, it is this 21st day of July, 1999, that the Petitioners' Request for Special Hearing should be changed at Paragraph 3, Line 4, to read: "the property formerly known as 'the Moore's Property' and now known as P119, Tax Map 50."



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 21, 1999

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 99-476-SPH
Property: 23 Ivy Reach Court

Dear Mr. Hoffman:

Enclosed please find an Amended Order regarding the above-captioned matter which correctly identifies the subject property in my previous Order dated July 15, 1999.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. John F. Owings, Jr.
111 Sunnymeadow Lane
Reisterstown, Maryland 21136

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

IN RE: PETITION FOR SPECIAL HEARING

S/S Ivy Reach Court, 1400' W
of Happy Hollow Road
8th Election District
3rd Councilmanic District
(23 Ivy Reach Court)

John F. Owings, Jr.
Petitioner

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BEFORE THE

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DEPUTY ZONING COMMISSIONER

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OF BALTIMORE COUNTY

*

CASE NO. 99-476-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owner of the subject property, John F. Owings, Jr. The special hearing request is to approve the creation of a non-density parcel identified as Parcel B on Petitioner's Exhibit No. 1, the site plan submitted into evidence.

Appearing at the hearing on behalf of the request were: John F. Owings, Jr., property owner; Leonard Bohager, professional engineer; Pat Gill; and, Patricia Malone and Rob Hoffman, attorneys at law, representing the Petitioner. Appearing as interested citizens in the matter were Anne and William Peck, and appearing as a protestant was Daniel Cramer.

Testimony and evidence indicated that the property which is the subject of the creation of a non-density parcel is identified as Parcel B on the site plan submitted, containing 0.50 acres, more or less, zoned RC 5. This Parcel B is part and parcel of a larger lot known as Lot No. 1 of Hillside Hunt, Section 2, which consists of 3.601 acres, split zoned RC 4 and RC 5. Mr. Owings is the current owner of Lot No. 1 and is desirous of subdividing a piece of his lot thereby creating Parcel B for the purpose of affording access to the adjacent property owners, William & Anne Peck for their property they own just north of Mr. Owings property. Testimony revealed that the Peck's property is landlocked at this time, and the intentions of Mr. Owings is to provide for future access to Mr. & Mrs. Peck, or their successors in interest. No development is

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9/15/99

Date

J. R. Johnson

contemplated at this time, as the Pecks testified that they have no intentions of developing their property. Mr. Owings indicated that the creation of this non-density parcel for access purposes is a precautionary measure intended to provide access to a landlocked parcel of property.

As stated previously, Mr. Daniel Cramer appeared in opposition to the Petitioner's request. He submitted a letter from Mr. & Mrs. Guipe, who were unable to attend the hearing, evidencing their opposition to the creation of this non-density parcel. Both Mr. Cramer and the Guipes are against any further development adjacent to their current properties. These residents are opposed to any attempt by the Pecks, or the future owners of the Peck property, from utilizing their current driveway and do not wish to see another driveway constructed adjacent to theirs. Therefore, they are opposed to the creation of this non-density parcel which would open up the development of the Peck property in the future. Testimony revealed that there appears the possibility that one single home could be built on the property owned by Mr. & Mrs. Peck. However, that determination has not been finalized.

After considering the testimony and evidence offered by the Petitioner and the concerns raised by the adjacent property owners, I find that the Petitioner's request for special hearing to create this non-density parcel should be granted. The policy of providing access to a previously landlocked parcel of property should be favored. Whether the Peck property is ever developed with a single family residence is a decision to be made by Mr. & Mrs. Peck. They indicated at the hearing some intentions of possibly conveying their property into the Maryland Environmental Trust. By having valid access to their land, the tax advantages for placing their property into the Environmental Trust would be even greater to them. Therefore, there may be more incentive for the Pecks to make such a conveyance into the Maryland Environmental Trust.

COPIES FILED FOR FILING
7/15/99
J. J. J. J.

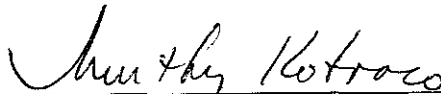
Accordingly, I believe it is appropriate to grant the special hearing relief to create Parcel B for non-density purposes.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, the special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of July, 1999 that the Petitioner's Special Hearing request to create a non-density parcel for access purposes, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired.
- 2) There shall be no permitted access to the property owned by William & Anne Peck by utilizing the existing driveway that services the lots owned by Mr. & Mrs. Cramer, Mr. & Mrs. Guipe and Mr. Owings. That existing driveway shall service those three lots only and shall not be extended to provide any access to the Peck property without the written consent of those three previously mentioned property owners.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

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7/15/99
R. J. J. J.



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 15, 1999

Robert a. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 99-476-SPH
Property: 23 Ivy Reach Court

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. John F. Owings, Jr.
Mr. Daniel Cramer
Mr. & Mrs. Guipe
Mr. & Mrs. William Peck
Ms. Pat Gill

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 23 Ivy Reach Court

which is presently zoned RC 4 AND RC 5

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

special hearing to create a non-density parcel (Parcel B) for access purposes.

Property is to be posted and advertised as prescribed by zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney for Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

John F. Owings, Jr.

Name - Type or Print

Signature John F. Owings, Jr.

Name - Type or Print

Signature

POB 295

410-833-1187

Address

Telephone No.

Owings Mills

MD

21117

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman, Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave

(410) 494-6200 day & eve.

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BR

Date

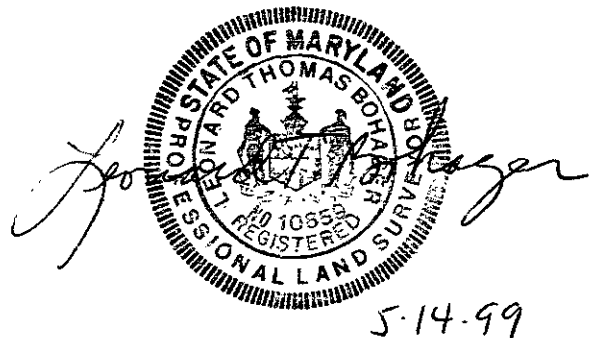
5/26/99

Case No. 99-476-SPH

ZONING DESCRIPTION FOR SPECIAL HEARING
23 IVY REACH COURT
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
MAY 14, 1999

Beginning for the same on the south right of way line of Ivy Reach Court, 40 feet wide, at a point located 1390 feet west of the centerline of Happy Hollow Road thence leaving Ivy Reach Court and running (1) South 24°31'02" West 353.79 feet; (2) South 22°01'28" West 113.81 feet; (3) South 78°28'01" West 12.00 feet; (4) South 22°01'28" West 759.71 feet; (5) South 41°57'16" West 181.50 feet; (6) South 18°47'22" West 198.39 feet; (7) North 52°31'36" West 343.95 feet; (8) North 39°29'03" East 186.57 feet; (9) North 39°29'18" East 922.55 feet; (10) South 72°22'37" East 49.50 feet; (11) North 22°01'28" East 95.66 feet; (12) North 24°31'02" East 352.96 feet to the south right of way line of Ivy Reach Court, 40 feet wide, and running thereon, (13) South 71°27'54" East 10.05 feet to the point of beginning.

Containing 5.4295 acres of land, more or less.



99-476-SPH #476

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 066395

DATE 5/26/99 ACCOUNT 8001-6130

AMOUNT \$ 250.00

RECEIVED FROM: John Owings Enterprises

FOR: Special hearing

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Form # 476

PAID RECEIPT

WONESS ACTUAL 1044
5/26/1999 5/26/1999 10-22-93
REG 4801 CASHIER JRIC JRR DEGREE R
Dapt 5 528 ZONING VERIFICATION
Receipt # 103240
OR NO. 066395

Receipt Tot 250.00
250.00 OK .00 06
Baltimore County, Maryland

99.476-SPH

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-476-SPH
23 Ivy Reach Court
S/S Ivy Reach Court, 1400'
W of Happy Hollow Road
8th Election District
3rd Councilmanic District
Legal Owner(s):

John F. Owings, Jr.
Special Hearing: to create a
non-density parcel (Parcel B)
for access purposes.
Hearing: Tuesday, July 13,
1999 at 9:00 a.m. in Room
407, County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

6/367 June 24 C321383

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/24/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/24/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No

99-476-SPH

Petitioner/Developer JOHN OWINGS

C/O ROBERT HOFFMAN, ESQ

Date of Hearing/Closing 7/13/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #-23 IVY KENET CT.

The sign(s) were posted on

6/28/99

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 7/1/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

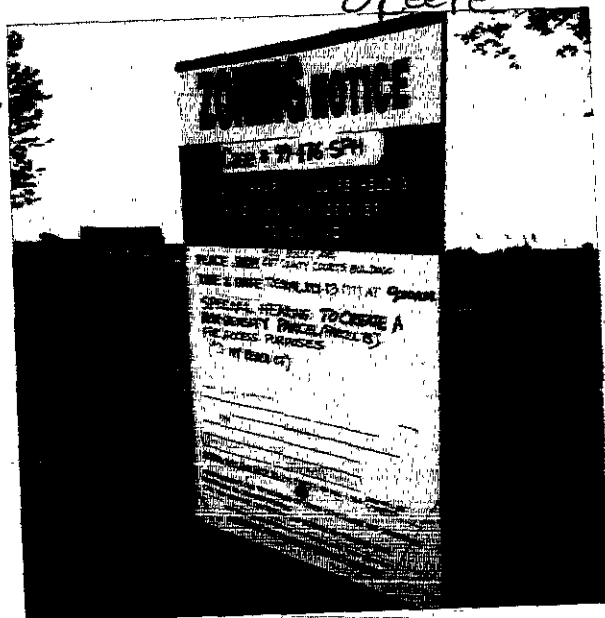
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



99-476-SPH



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 11, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-476-SPH
23 Ivy Reach Court
S/S Ivy Reach Court, 1400' W of Happy Hollow Road
8th Election District – 3rd Councilmanic District
Legal Owner: John F. Owings, Jr.

Special Hearing to create a non-density parcel (Parcel B) for access purposes.

HEARING: Tuesday, July 13, 1999 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
John F. Owings, Jr.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 28, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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TO: PATUXENT PUBLISHING COMPANY
June 24, 1999 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6201

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-476-SPH

23 Ivy Reach Court

S/S Ivy Reach Court, 1400' W of Happy Hollow Road

8th Election District – 3rd Councilmanic District

Legal Owner: John F. Owings, Jr.

Special Hearing to create a non-density parcel (Parcel B) for access purposes.

HEARING: Tuesday, July 13, 1999 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

59

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-476-SPH
Petitioner: John F. Owings, Jr.
Address or Location: 23 Ivy Reach Court

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara W. Ormrod
Address: Venable Baetjer + Howard, LLP.
210 Allegheny Avenue, Towson Md 21204
Telephone Number: 410-494-6201



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 1, 1999

Robert A. Hoffman, Esq.
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case No.: 99-476-SPH, Petitioner: Owings,
Location: 23 Ivy Reach Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 26, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

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**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 16, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 7, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467,
468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479,
480, 483, 484, AND 485

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us


RECEIVED JUN 21 1999

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: June 16, 1999

FROM:  Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for June 14, 1999
 Item Nos. 456, 459, 460, 461, 462,
 464, 466, 467, 468, 469, 471, 472,
 474, 475, 476, 477, 482, 483, 484,
 & 485

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC06149.NOC

RECEIVED JUN 21 1999

June
7/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 8, 1999

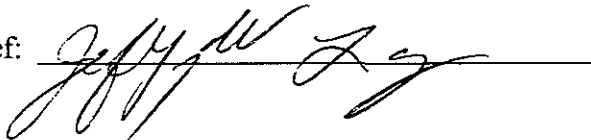
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 462, 476, and 479

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6.4.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 476 TR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
23 Ivy Reach Court, S/S Ivy Reach Ct,
1400' W of Happy Hollow Rd
8th Election District, 3rd Councilmanic

Legal Owner: John F. Owings, Jr.
Petitioner(s)

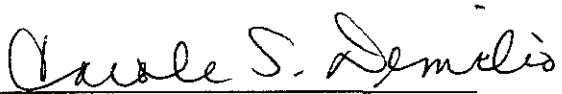
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-476-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

IVY REACH COURT #23
(fka Moores Property)

March 16, 1999

Bry S

Minor Subdivision Review
Plan Date: 2/10/99
Comments Due: 3/15/99
Comments Date: 3/10/99

1. A Special Hearing will be required as "Parcel B" is on an undersized lot.
2. Correct density note to read "intact sine 1975".
3. Supply additional information (non-density transfer approved by what means?... hearing?).

Any requests for additional information from the Zoning Office must include a reference to the minor subdivision file number 99-019-M and written correspondence or revised plans must be accompanied by a copy of these comments.

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:ggs

2- Undersized Non Density Parcels

99-476-SPH

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6206

pamalone@venable.com

August 11, 1999

HAND-DELIVERED

Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing for 23 Ivy Reach Court
Zoning Case No. 99-476-SPH
Petitioner: John F. Owings, Jr.

Dear Mr. Kotroco:

As requested by People's Counsel for Baltimore County, by way of this letter, I am confirming that any deed for the non-density parcel (Parcel B) involved in the above-referenced zoning case shall contain a notation referencing the zoning case, including the case number.

I would appreciate it if you would include this letter in the permanent case file for the zoning case.

Very truly yours,

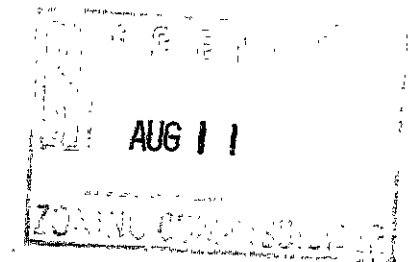


Patricia A. Malone

PAM/sm

cc: Peter M. Zimmerman, Esquire
Mr. John F. Owings, Jr.

TOIDOC51/erl01/#87037 v1



To Whom It May Concern:

We the undersigned of 19 Ivy Reach Court oppose any extension of the right of way, which would provide access to the Peck property for the express purpose of building a residence or any other use that would add to the congestion of homes or the destruction of any additional woodlands. We oppose such for the following reasons:

- 1. When we purchased our property at 19 Ivy Reach Court we were made to understand that there would only be three home built at the end of the panhandle drive. Our interest in the 19 Ivy Reach property resulted from the expected privacy the plans afforded our location.**
- 2. The woodlands are an ever depleting commodity which help with erosion, wildlife and the general health of environment.**
- 3. With the plans as currently designed the congestion at the end of the panhandle drive is maximized at three homes. Any additional building destroys the ambiance reflected in the original plans.**
- 4. We believe this variance would create a breach of the understanding we had with the builder to limit the homes in phase one to seven homes. All of our decisions and investments in this subdivision were based on this premise.**
- 5. We believe any additional building will just exacerbate problems associated with run off and erosion of the surrounding areas.**

We are disappointed we cannot be at the hearings to voice our strong opposition in person but believe that this letter documents our feelings concerning this matter. Your ruling in opposition to this variance is greatly urged by the entire Guipe family!

Sincerely yours,


Richard and Marcia Guipe

Protestant(s)

PLEASE PRINT CLEARLY

~~BALTIMORE COUNTY REPRESENTATIVES~~

SIGN-IN SHEET

NAME

ADDRESS

Daniel Cramer

21 Ivy Reach Ct.

Anne Peck

12207 Boxer Hill Rd

William F. Peck

12207 Boxer Hill Rd.,
Cockeysville, Md. 21030

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Patricia Malone

John Owings

LEONARD T. BOHAGER, P.E., L.S.

PAT GILL

210 Allegheny Ave

P.O. Box 295, 21117

2741 Ebbvale Rd 21102

1811 Billy Barton C. 21136

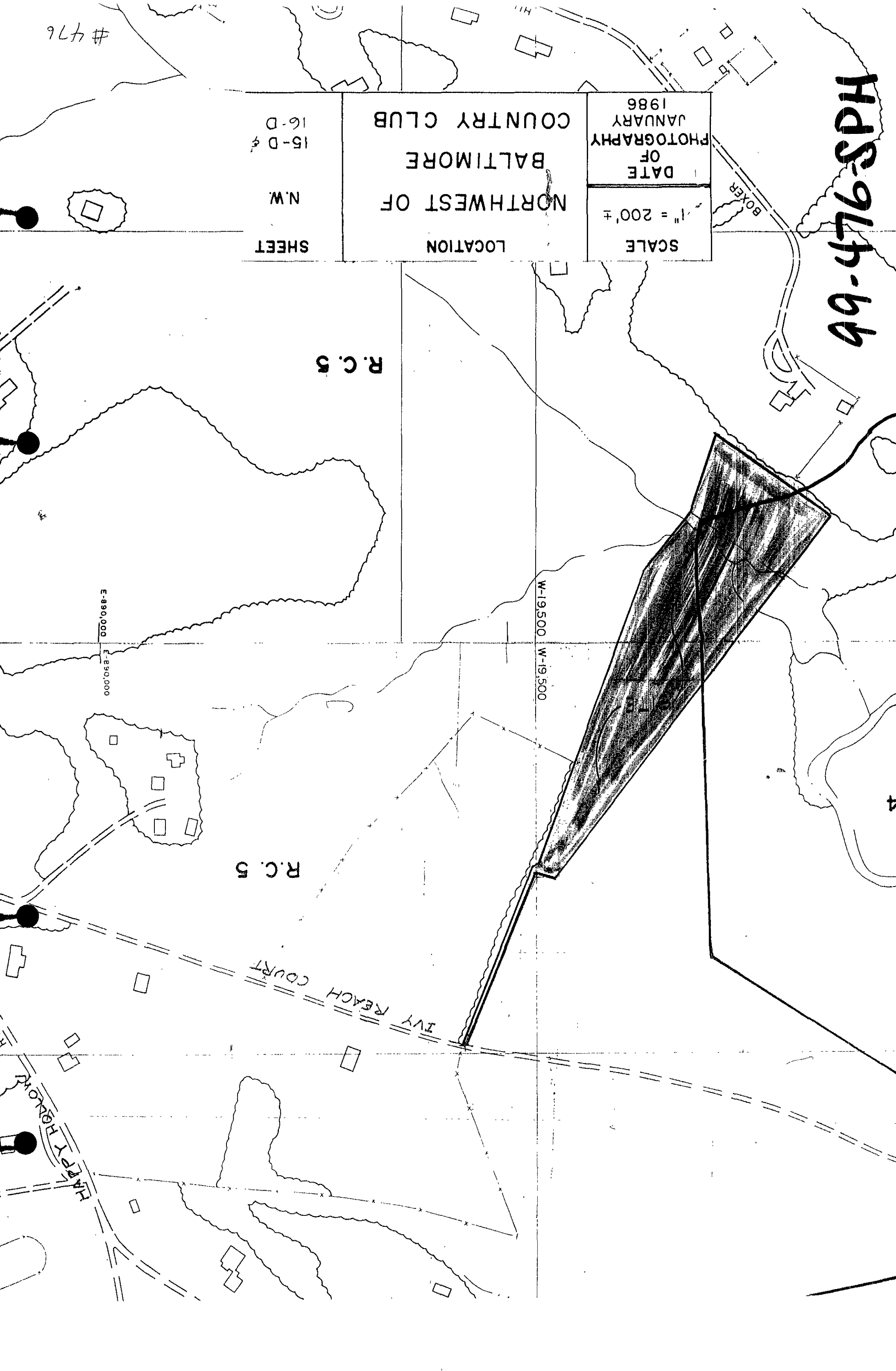


99-476-SPH

SCALE	1" = 200' ±
DATE	JANUARY 1986

LOCATION
NORTHWEST OF
BALTIMORE
COUNTRY CLUB

16-D
15-D
N.W.
SHEET



[illegible][illegible]

4.) TOTAL AREA OF TRACT (INCLUDING PARCEL A) = 5.4215 AC.
 2.) SITE IS ZONED RC-4 & RC-5 (AREA IN RC-4 = 1.79 AC, AREA IN RC-5 = 3.64 AC)
 3.) LOTS ALLOWED IN RC-5 = 3.64 ÷ 0.667 = 2.43 OR 2 LOTS
 IN RC-4 = 0.20 × 1.79 = 0.36 OR 2 LOTS
 TOTAL LOTS ALLOWED = 2 LOTS
 4.) LOTS PROPOSED = PARCEL A, FORMER NON-DENSITY TRANSFER TO PECK, PARCEL B, FOR NON-DENSITY TRANSFER ACCESS TO ACADEMIC LOT 1 FOR BUILDING PURPOSES. (SINGLE FAMILY DWG)
 TOTAL = 1 BUILDING LOT & 2 NON-DENSITY, NON-BUILDABLE PARCELS.
 5.) SITE LIES WITHIN THE 8TH ELECTION DISTRICT, 5TH COUNCILMANIC DISTRICT, REGIONAL PLANNING DISTRICT 307A, CENSUS TRACT N° 4083, WATERSHED 11, SUBSEWERSED 36
 6.) OUTLINE SURVEY PERFORMED BY WILLIAM E. DOYLE REG. L.S. N° 8440 DATED AUGUST 13, 1996,
 7.) TOPOGRAPHY TAKEN FROM 1" = 200' SCALE BALTIMORE CO. PHOTOGRAMMETRY SHEET NW 1 G.D.
 8.) EXISTING WELL AND SEPTIC SYSTEMS ARE LOCATED AS SHOWN HEREON.
 9.) NO UNDERGROUND FUEL OR OIL TANKS APPEAR TO EXIST ON SITE.
 10.) NO RARE OR ENDANGERED SPECIES ARE KNOWN TO EXIST ON SITE.
 11.) SLOPES ≥ 25% ARE SHOWN HATCHED THUS ~~33%~~
 12.) SITE SHALL COMPLY WITH FOREST CONSERVATION PLAN APPROVED 1-15-99.
 13.) FOREST CONSERVATION / BUFFER EASEMENT AREA = 3.50 AC. ±
 14.) MAXIMUM BUILDING COVERAGE OF LOT 1 SHALL NOT EXCEED 15%.

OWNER - PARCEL 'A'
WILLIAM F & ANNE N. PECK
12207 BOXER HILL ROAD
HUNT VALLEY MD 21030
PHONE: 410-252-0075
DEED #: 9153/1B5
TAX ACCT # 21-00-001033
TAX MAP 50 PARCEL 70 119

PLAT TO ACCOMPANY
SPECIAL HEARING FOR
MINOR SUBDIVISION OF
#23 IVY REACH COURT
(FORMERLY MOORES PROPERTY)
SITUATED ON THE WEST SIDE OF
SECTION TWO HILLSIDE HUNT
BELT DISTRICT PALTO CO. MD
SCALE: 1"=100' MAY 25, 1999
REVISED 4-17-99 PER 1ST N.J. CIVIL COMMENTS

15x15

2-15-99

#476